

12/22/99
JC553 U.S. PTO

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Attorney Docket No.: _____

Patent Application

12/22/99
JC525 U.S. PTO
09/470603

CERTIFICATE OF EXPRESS MAILING

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Peter J. Manso
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December 22, 1999
Date

Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of: Dave Bova
For: **NICOTINIC ACID COMPOSITIONS FOR TREATING
HYPERLIPIDEMIA AND RELATED METHODS THEREFOR**
Examiner:
Art Unit:
Express Mail Label No.: EE683174198US

BOX APPLICATION
Assistant Commissioner
for Patents
Washington, D.C. 20231

Sir:

PATENT APPLICATION TRANSMITTAL LETTER

Transmitted herewith for filing as a continuation patent application under 35U.S.C. §111(a) and §120 and under 37 C.F.R. §1.53(b) and §1.78, please find the following:

Specification, claims and abstract of the above-referenced patent application (total of 32 pages). I hereby verify that the attached papers are a true copy of what is shown in my records to be the above-identified prior application, including the oath or declaration originally filed.

sheet(s) of drawing(s) (formal/ informal)

Combined Declaration and Power of Attorney (previously filed)

The prior grandparent and patent applications are assigned of record to KOS Pharmaceuticals, Inc.

A verified statement that this filing is by a small entity has been filed in the grandparent and parent applications and such status is still proper and desired (37 C.F.R. §1.9 and 1.27).

Preliminary Amendment is enclosed.

Return Post Card is enclosed.

The filing fee has been calculated as shown below:

	NO FILED	NO. EXTRA	RATE	FEE
BASIC FEE				\$760
TOTAL CLAIMS	12-20	0	\$18	\$0
INDEPENDENT CLAIMS	1-3	0	\$78	\$0
MULTIPLE DEPENDENT CLAIM(S) PRESENTED				\$260
TOTAL FEES:				\$760
Deduct one-half of fee for Small Entity				-380
TOTAL AMOUNT DUE:				\$380

Please charge my Deposit Account No. 50-0951/20720-95328 (KOS) in the amount of \$380. A copy of this request is submitted herewith.

 A check in the amount of \$ _____ is attached. Please charge any deficiency or credit any overpayment to Deposit Account No. _____.

The Commissioner is hereby authorized to charge payment of the following fees or other deficient fees owed during the pendency of this application or credit any overpayment to Deposit Account No. 50-0951.

- Any patent application processing fees under 37 CFR 1.17 and under 37 CFR 1.20(d).
- The issue fee set in §37 CFR 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 CFR 1.311(b).
- Any filing fees under §37 CFR 1.16 including all extension of time fees that are due pursuant to 37 CFR 1.316(a) during the pendency of this application.
- With respect to the prior copending U.S. patent applications from which this application claims benefit under 35 U.S.C. §120, the inventor(s) in this application is (are) the same.
- The inventorship for all claims in this application are the same.
- The Power of Attorney in the prior parent application is to Peter J. Manso, Registration No. 32,264.
- Address all future communications to:

Peter J. Manso
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Telephone: 954-463-2700
Facsimile: 954-463-2224

- A notification of the filing of this continuation is being filed in the parent application from which this application claims priority under 35 U.S.C. §120.

Pursuant to the provisions of 37 C.F.R. §1.10 and 1.53, applicant requests that this application be assigned a serial number and a filing date of December 22, 1999, the date upon which this application for U.S. patent was mailed to the U.S. Patent and Trademark Office by Express Mail.

I hereby declare further that all statement made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statement and the like so made are

punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statement may jeopardize the validity of the application or any patent issuing thereon.

Date: December 22, 1999

Respectfully Submitted,

By and For

AKERMAN SENTERFITT & EIDSON, P.A.

Peter J. Manso
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